

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17025 of 2019

Arising Out of PS. Case No.-743 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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MD. IRFAN KHAN @ MOHAMMAD IRFAN KHAN, aged about 29 years,
Male, Son of Maksud Khan, Resident of Village-Tajpur, Police Station-
Dildarnagar, District-Gazipur (U.P.) ... Petitioner

Versus

1. The State of Bihar
2. Shahjada Khatun, W/o Md. Irfan Khan, D/o Mumtaj Ahmed Khan, Resident
of Village- Tajpur, Police Station- Dildarnagar, District- Gazipur (U.P),
Presently Village- Dandawa, Police Station- Chainpur, District- Kaimur
... Opposite Parties

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Appearance :

For the Petitioner	:	M/s Bindhyachal Singh & Vipin Kr. Singh, Adv.
For the State	:	Mr. Murli Dhar, APP
For the OP No. 2	:	Mr. Satish Kumar Giri, Adv.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 24-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. 743 of 2017 for the offences alleged under
Sections 498A, 406 and 323 of the Indian Penal Code and 3 and
4 of the Dowry Prohibition Act.

The accusation is of torturing of complainant/opposite
party no. 2 by her husband and in-laws for non-fulfillment of
demand of dowry and ousting her from matrimonial house after
snatching personal belongings.

Learned counsel appearing for the petitioner submits
that while the matter was referred before the Patna High Court



Mediation Committee for mediation and settlement of dispute in between the petitioner and complainant/opposite party no. 2, who are husband and wife, but, the mediation could not succeed.

On the other hand, learned counsel appearing on behalf of complainant/opposite party no. 2 submits that while opposite party no. 2 was present on each and every date before the Mediation Committee, but, petitioner has only appeared on first date, thereafter, did not turn up.

Having regard to the facts and circumstances of the case, I am not inclined to grant pre-arrest bail to the petitioner.

The prayer for pre-arrest bail of the petitioner is **rejected**.

The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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